IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

THURSDAY, THE 28TH JUNE 2007 / 7TH ASHADHA 1929

WP(C).No. 19150 OF 2007(D)

PETITIONER:

DR.N.RAVEENDRAN,
DIRECTOR, SREENIKETHAN CENTRE FOR SOCIAL
DEVELOPMENT, CHATHANNOOR P.O., KOLLAM DISTRICT.

BY ADV. SRI.AJITH KRISHNAN

RESPONDENTS:

1. THE SUPERINTENDENT OF POLICE, KOLLAM.

2. THE CIRCLE INSPECTOR OF POLICE,
CHATHANNOOR, KOLLAM.

3. SUB INSPECTOR OF POLICE,
CHATHANNOOR, KOLLAM.

4. SAGADEVAN,
BIJU BHAVANAM, MALAYATTIKONAM, EDAVANADU,
CHATHANNOOR, KOLLAM DISTRICT.

5. PANKAJAKSHY,
BIJU BHAVANAM, MALAYATTIKONAM, EDAVANADU,
CHATHANNOOR, KOLLAM DISTRICT.

6. MANJU,
BIJU BHAVANAM, MALAYATTIKONAM, EDAVANADU,
CHATHANNOOR, KOLLAM DISTRICT.

BY ADV. SRI.P.S.BIJU
GOVT. PLEADER SRI. P. RAVINDRA BABU.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	TRUE COPY OF THE ORDER IN I.A. NO. 364/2007 IN O.S. NO. 59/07 ON THE FILE OF THE MUNSIFF MAGISTRATE COURT, PARAVOOR.
EXT.P2	TRUE COPY OF THE ORDER DATED 13.3.2007 IN I.A. NO. 343/2007 IN O.S. NO. 53/2007.
EXT.P3	TRUE COPY OF THE F.I.R. IN CRIME NO. 221/2007 DATED 5.5.2007.
EXT.P4	TRUE COPY OF THE F.I.R. NO. 299/2007 DATED 16.6.2007.
EXT.P5	TRUE COPY OF THE F.I.R. IN 303/2007 DATED 18.6.2007.
EXT.P6	TRUE COPY OF THE REPRESENTATION DATED 17.6.2007 SUBMITTED BY PETITIONER BEFORE THE 1ST RESPONDENT.

RESPONDENTS' EXHIBITS:

NIL.

// TRUE COPY //

P.S. TO JUDGE.

knc/-

P.R. RAMAN & K. HEMA, JJ.
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W.P.(C) NO. 19150 OF 2007
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DATED THIS, THE 28TH DAY OF JUNE, 2007.

J U D G M E N T

Raman, J.

Petitioner seeks police protection to the property and lives of the petitioner, his wife and his employees against the criminal acts of Respondents 4 to 6 and their henchmen.

2. Respondents 4 to 6 entered appearance and the learned counsel appearing on behalf of them was heard in the matter. It was contended by the learned counsel on behalf of Respondents 4 to 6 that there is no threat to the life of the petitioner or to the members of his family, as alleged. He further submitted that petitioner is proceeding with the construction work illegally, which had been stopped by the Revenue Divisional Officer and therefore, under the cover of police protection there should not be any attempt to make any construction in violation of the order of the Revenue Divisional Officer.

3. Learned counsel for the petitioner, on the other hand, would submit that he is not seeking any protection as regards the construction activities. But in view of the criminal case pending against the parties, there

is a posed threat from the respondents and he is limiting his prayer for a direction to give protection to his life and his family members.

4. The learned Government Pleader was also heard in the matter. We notice that FIR has been registered both as against the petitioner and the respondents for different offences.

5. Therefore, both the parties have approached the police against the alleged illegalities said to have been committed by the other side. Hence we do not want to express any opinion on the merits of the contention raised between the parties. However, we notice that in a writ petition - W.P.(C) 4137/2007, filed by the wife of the petitioner, this Court directed to maintain law and order, as per its order dated 27.2.2007. In the above circumstances, we direct that neither the party shall take the law to his own hands. The parties shall abide by any orders passed by the competent authorities in the matter of construction of building. The police shall see that law and order is maintained and if there is any threat to the lives of the petitioner or his family members, police shall give necessary protection.

The writ petition is disposed of as above.

P.R. RAMAN,
(JUDGE)

K. HEMA,
(JUDGE)

knc/-